IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 4525 OF 1994.

THE SANGLI BANK LTD. ... PLAINTIFFS.

VS.

ARUN S. THAKUR ... DEFENDANTS.

AND ORS.

MR. R.S.KAVALE FOR THE PLAINTIFFS.

Coram : S.K.Shah, J.

Date : September 1, 2005.

P.C.:-

1. The Suit is undefended against the defendant.

2. The Plaintiff has filed this suit for recovery of Rs. 2,19,933.97 Ps. which is outstanding due from the defendant. The Plaintiff alleged that the defendant is carrying on business in the name and style as " M/s.Abhishek Films" as a Sole proprietor. The defendant had an account with the Plaintiff- Bank, being account No. 374. The Plaintiff was granted over draft facility of Rs. 25,000/- to fulfil his business commitments.

3. Towards his liabilities, the defendant had issued a cheque, however, the same was dishonoured and,

therefore, the Plaintiff-Bank had filed the suit for recovery of the balance outstanding amount in his account.

4. In support of the claim, the Plaintiff- bank has produced on record, duly certified extract of account of the defendant, which shows an amount of Rs. 2,19,993.87/- outstanding due from the defendant as on 6th September, 1994. Thus, the Plaintiff-bank has established the claim. Hence, the Order.

ORDER

1) Defendant shall pay to the Plaintiff Rs. 2,19,993.87 together with interest @ 16.5 % per annum, from the date of the Suit till the realisation of the full amount.

2) The defendant shall also pay to the Plaintiffs, the costs of this Suit and shall bear his own.

3) Decree be drawn up accordingly.

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[S.K.Shah , J.]